



PATENT  
Customer No. 22,852  
Attorney Docket No. 02356-0083-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
EDELEMAN et al. ) Group Art Unit: Not yet assigned  
)  
Application No.: 10/627,649 ) Examiner: Not yet assigned  
)  
Filed: July 28, 2003 )  
)  
For: CHIMERIC MOLECULES )  
CONTAINING A MODULE ABLE )  
TO TARGET SPECIFIC CELLS )  
AND A MODULE REGULATING )  
THE APOPTOGENIC FUNCTION )  
OF THE PERMEABILITY )  
TRANSITION PORE COMPLEX )  
(PTPC) )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached.

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Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making the appropriate notation on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: October 9, 2003

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No. 02356-0083-00000	Appln. No. 10/627,649
Applicant Edelman, et al.	
Filing Date <b>O I P</b> July 28, 2003	Group: Not yet assigned

U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate	
	4,612,282	September 16, 1986	Schlom et al.	435	68		

FOREIGN PATENT DOCUMENTS							
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No	
	WO 99/45128	September 10, 1999	International			English	
	WO 00/31254 A3	June 2, 2000	International			English	
	WO 00/42973	July 27, 2000	International			English	
	WO 01/48014 A1	July 5, 2001	International			English abstract	
	WO 02/20570 A2	March 14, 2002	International			English	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
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	Costantini, P. et al. Mitochondrion as a Novel Target of Anticancer Chemotherapy. J. Nat. Cancer Inst., vol. 92, no. 13, pp. 1042-1053 (2000).
	Ferri, K.F., et al. Mitochondrial Control of Cell Death Induced by HIV-1 Encoded Proteins. Ann. N.Y. Acad. Sci., vol. 926, pp. 149-164 (2000)
	Goldmacher, V.S., et al. A cytomegalovirus-encoded mitochondria-localized inhibitor of apoptosis structurally unrelated to Bcl-2. Proc. Natl. Acad. Sci., vol. 96, no. 22, pp. 12536-12541 (1999).
	Jacotot, E. et al. The HIV-1 Viral Protein R Induces Apoptosis via a Direct Effect on the Mitochondrial Permeability Transition Pore. J. Exp. Med., vol. 191, no. 1, pp. 33-45 (2000).
	Marzo, I. et al. Bax and Adenine Nucleotide Translocator Cooperate in the Mitochondrial Control of Apoptosis. Science, vol. 281, pp. 2027-2031 (1998).
	International Search Report, PCT/EP 02/01633, mailed April 4, 2003.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce